

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

UNITED STATES OF AMERICA	)	
	)	
v.	)	Case No. 3:18-mj-00170
	)	
TROY GEORGE SKINNER,	)	
	)	
<i>Defendant.</i>	)	

**JOINT MOTION TO EXCLUDE TIME AND EXTEND  
THE PERIOD FOR INDICTMENT**

The United States of America, by its attorneys, G. Zachary Terwilliger, United States Attorney for the Eastern District of Virginia, and Brian R. Hood and Katherine Lee Martin, Assistant United States Attorneys, and the defendant, TROY GEORGE SKINNER, and his attorneys, Laura Koenig and Robert Wagner, respectfully move this Honorable Court to extend until January 27, 2019, the time period of filing an indictment against the defendant. In support thereof, the parties state as follows:

1. The defendant was arrested and first appeared in this Court on October 29, 2018, to answer to a complaint charging him with Production of Child Pornography, in violation of 18 U.S.C. § 2251(a), and Online Enticement, in violation of 18 U.S.C. § 2422(b).

2. The Speedy Trial Act, 18 U.S.C. § 3161(b), requires that any indictment against a defendant be filed within 30 days from the date on which defendant was arrested, or first appeared in Court, subject to excludable time under 18 U.S.C. § 3161(h). Without excludable time, SKINNER should therefore be indicted by November 28, 2018.

3. The parties in this case are exploring a pre-indictment plea. Plea negotiations are not expected to be completed before the time for filing an indictment as required by 18

U.S.C. § 3161(b). The Speedy Trial Act specifically encourages delays for the consideration of plea agreements by the Court. *See* 18 U.S.C. § 3161(h)(1)(G). Delay to allow the parties to evaluate a plea agreement serves the same objective by allowing the parties, the government, and the Court to avoid needless litigation and to evaluate fully a plea offer.

4. The defendant therefore joins in the government's motion requesting the Court to extend by 60 days, until January 27, 2019, the government's time to indict this case. Defendant waives any objections under the Speedy Trial Act.

WHEREFORE, the undersigned request that the time to indict the defendant be extended until January 27, 2019.

Respectfully submitted,

G. ZACHARY TERWILLIGER  
UNITED STATES ATTORNEY

By: /s/ Brian R. Hood  
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Defense Counsel Signature: I am counsel for the defendant in this case. I have fully explained to the defendant the defendant's right to be charged by indictment within 30 days of arrest or summons. Specifically, I have reviewed the terms and conditions of Title 18, United States Code, Section 3161(b), and I have fully explained to the defendant the provisions that may apply to this case. To my knowledge, the defendant's decision to agree to an extension of time to

be charged by indictment is an informed and voluntary one.

Date: 11/26/2018

/s/  
\_\_\_\_\_  
Laura J. Koenig  
Robert Wagner  
Counsel for the Defendant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on **November 26, 2018**, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification to all counsel of record.

Respectfully submitted,

G. ZACHARY TERWILLIGER  
UNITED STATES ATTORNEY

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